

UNITED STATES PATENT AND TRADEMARK OFFICE



BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

Ex parte RICHARD PAUL TARQUINI, RICHARD LOUIS SCHERTZ  
and GEORGE SIMON GALES

Application 10/001,728

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was received at the Board of Patent Appeals and Interferences on June 28, 2007. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matters requiring attention prior to docketing are identified below.

An Information Disclosure Statement (IDS) was filed June 26, 2003. It is not apparent from the record that the examiner considered the statement submitted or notified applicants of why their submission did not meet the criteria set forth in 37 CFR §§ 1.97 and 1.98.

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Accordingly, it is

**ORDERED** that the application is being returned to the Examiner for consideration of the Information Disclosure Statement filed June 26, 2003, and for such further action as may be appropriate.

BOARD OF PATENT APPEALS  
AND INTERFERENCES

By: Patrick J. Nolan  
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PJN/gjh

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